

Providing Some Further Clarity

NSR Retooling Team

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Wisconsin Department of Natural Resources

4 Issues from November 5

- Definition of “project”
- “Reasonable Possibility”
- Procedure for redistributing PAL emissions
- Use of emission factors in PAL situations

Definition of Project

- Federal Rule:
 - Project means a physical change in, or change in method of operation of, an existing major stationary source.
- STAPPA/ALAPCO
 - Project means the set of related physical changes, or changes in method of operation, that comprise a program of construction or modification at a stationary source, to be completed within a reasonable time. Such set shall not include physical changes or changes in the method of operation specified in 405.02(21)(b)1.
- Others?

“Reasonable Possibility”

- Used under the source obligation section of the federal rule as follows (52.21(r)(6)):
 - The following specific provisions apply to projects at existing emissions units at a major stationary source (other than projects at a Clean Unit or at a source with a PAL) in circumstances where there is a **reasonable possibility** that a project that is not a part of a major modification may result in a significant emissions increase and the owner or operator elects to use the method specified in s. NR 405.02(25f)(b)1. through 3. for calculating projected actual emissions.

Reasonable Possibility - 2

- STAPPA/ALAPCO
 - Monitoring, recordkeeping and reporting. The provisions of this paragraph apply to any project that, although it would result in a significant emissions increase, is not a major modification under applicability tests provided by (xx).
- Other ideas?

Procedure for redistributing PAL

- 1. Within the time frame specified for PAL renewals in sub. (10)(b), the major stationary source shall submit a proposed allowable emission limitation for each emissions unit (or each group of emissions units, if such a distribution is more appropriate as decided by the department) by distributing the PAL allowable emissions for the major stationary source among each of the emissions units that existed under the PAL. If the PAL had not yet been adjusted for an applicable requirement that became effective during the PAL effective period, as required under sub. (10)(e), such distribution shall be made as if the PAL had been adjusted.
- 2. Based upon the information submitted under subd. 1, the department shall decide whether and how the PAL allowable emissions will be distributed and issue a revised permit incorporating allowable limits for each emissions unit, or each group of emissions units, as the department determines is appropriate.

Procedure for redistributing PAL

- Thought is that this would be handled like any other permit application; opportunity for discussion, negotiation regarding distribution
- Other ideas to clarify in rule?

Emission Factors

- Monitoring/verification of emission factors used to monitor PAL verified every 5 years under Federal regulation.
- Proposed language: Re-validation. All data used to establish the PAL pollutant emission factor must be re-validated through performance testing or other scientifically valid means approved by the department under the methods and frequency required under 400 series or applicable rules.
- Other ideas?